(2)

No. 99-1556

Supreme Court, U.S.
FILED
APR 11 2000
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In The

Supreme Court of the United States

ALCOA INC. and VANALCO, INC.,

Petitioners,

v.

BONNEVILLE POWER ADMINISTRATION,

Respondent.

On Petition For A Writ Of Certiorari To The United States Court Of Appeals For The Ninth Circuit

RULE 15(8) SUPPLEMENT TO PETITION FOR A WRIT OF CERTIORARI

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RULE 15(8) SUPPLEMENT TO PETITION FOR A WRIT OF CERTIORARI

A substantive issue in Case No. 99-1556 (*Alcoa Inc. and Vanalco, Inc. v. Bonneville Power Administration*) is whether BPA can condition sales of power by precluding users from any effort to lobby Congress in opposition to a preferred BPA distribution plan. A preliminary jurisdictional issue is whether either a district court or a court of appeals can decide the constitutional question.

We now discover that this Court has on April 3, 2000, granted certiorari in the Second Circuit case of *Velazquez v. Legal Services Corp.*, 164 F.3d 757 (2d Cir. 1999). The case numbers here are 99-603 and 99-960. The precise point in that case is whether the government can condition a grant on a viewpoint restrictive restraint on lobbying, exactly what the "Compromise Approach" in the instant case requires here, as is fully set forth in our Petition.

We respectfully suggest that the instant case either be granted certiorari or otherwise be held in light of Nos. 99-603 and 604.

RESPECTFULLY SUBMITTED this 11th day of April, 2000.

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